

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALISA CAREY,

Plaintiff,

-against-

CAPTAIN SLANEY; JUSTICE MICHELLE  
LUMBART; BILL ESCONGENE; MARK  
ESCONGENE; JESSIE SANIPAS,

Defendants.

22-CV-8649 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff was incarcerated in Maine when she filed this action *pro se* and *in forma pauperis* (“IFP”) under 42 U.S.C. § 1983. Because Plaintiff alleged that the underlying events occurred in Maine, and also that Defendants were located in Maine, the Court transferred the action to the United States District Court for the District of Maine. *See* 28 U.S.C. § 1391, 1406. (ECF 5.)

On December 28, 2022, Plaintiff filed a notice of appeal and an extension of time to file a notice of appeal. (ECF 6, 7.) On September 28, 2023, the Second Circuit dismissed the appeal for lack of jurisdiction. No. 23-43 (2d Cir. Sept. 28, 2023). Because the Second Circuit already adjudicated Plaintiff’s appeal, the motion for an extension of time to file a notice of appeal is moot.

**CONCLUSION**

The motion for an extension of time to file a notice of appeal is denied as moot, and the Clerk of Court is directed to terminate it. (ECF Doc. 6.)

The Court certifies, pursuant to 28 U.S.C § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal.

*See Coppededge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: December 15, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge